

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LUKE J. SULLIVAN, III, individually  
and on behalf of all others similarly  
situated,

Plaintiff,

v.

ALLIED INTERSTATE, LLC, and  
JOHN DOES 1-25,

Defendants.

Civil Action No. 16-203

United States District Judge  
Mark R. Hornak

United States Magistrate Judge  
Cynthia Reed Eddy

**ORDER**

AND NOW, this 9<sup>TH</sup> day of December, 2016:

**IT IS HEREBY ORDERED** that Defendant's Motion for Judgment on the Pleadings, construed as a Motion to Dismiss pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), (ECF No. 4) is **GRANTED** and the Amended Complaint (ECF No. 2) is **DISMISSED WITH PREJUDICE**.

**IT IS FURTHER ORDERED** that the Report and Recommendation (ECF No. 16) is adopted as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Plaintiff's Objections (ECF No. 18) to the Report and Recommendation are **OVERRULED**.

**IT IS FURTHER ORDERED** that the Clerk of Court shall mark this **CASE CLOSED**.



Mark R. Hornak  
United States District Judge